

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Coast to Coast Tile, LLC, et al.,

§

§

v.

§ Case Number: 4:24-cv-2767

§

Garth, et al.

§

ORDER

This matter comes before the Court on (1) the motion to dismiss Plaintiffs' Second Amended Complaint filed by Defendants Starrex Title Florida, LLC, Laurie Cooper, MarketStreet Capital Partners AR, LLC, MarketStreet Capital Partners, LLC, and Brian A. Brewer, Doc. 69, (2) a motion to dismiss Plaintiffs' Second Amended Complaint filed by Defendants Tyrell L. Garth and Phillip H. Clayton, Doc. 70, and (3) Plaintiffs' response to those motions, Doc. 78, including their request for leave to file an amended complaint. Having considered all of the responsive filings, record materials, and authorities, the Court holds that the motions to dismiss should be DENIED and the request for leave should be GRANTED. Accordingly, it is ORDERED that:

- (1) The motions to dismiss Plaintiffs' Second Amended Complaint, Doc 69; Doc. 70, are DENIED.
- (2) Plaintiffs' request for leave to file an amended complaint is GRANTED.

SIGNED this ____ day of _____, 2025.

LEE H. ROSENTHAL
SENIOR UNITED STATES DISTRICT JUDGE